

- E X H I B I T A -

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X Index No.:
SONIA N. SANTIAGO,

Plaintiff,

Plaintiff designates

KINGS County as

Place of Trial

Basis of venue is:

-against-

Plaintiff's Residence

THE STOP & SHOP SUPERMARKET COMPANY LLC,

SUMMONS

Defendant.

Plaintiff resides at:

204 Bushwick Ave

-----X Brooklyn, NY 11206

To the above named Defendant:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: May 10, 2023

DAVID HOROWITZ, P.C.

Attorney for Plaintiff



By: _____

JOANNA PLONSKA

171 Madison Ave, Suite 1300

New York, New York 10016

(212) 684-3630

Defendant's Address:

THE STOP & SHOP: c/o CSC, 80 State Street, Albany, NY 12207

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
SONIA N. SANTIAGO,

Plaintiff,

-against-

VERIFIED COMPLAINT

THE STOP & SHOP SUPERMARKET COMPANY LLC,

Defendant.

-----X

Plaintiff, complaining of the defendant, by her attorney,
DAVID HOROWITZ, P.C., respectfully alleges:

1. Upon information and belief, at all times herein mentioned, defendant, THE STOP & SHOP SUPERMARKET COMPANY LLC, was a foreign limited liability company, licensed to do business in the State of New York.

2. Upon information and belief, on January 29, 2022, defendant, THE STOP & SHOP SUPERMARKET COMPANY LLC, owned the premises 89-89 Union Turnpike, Glendale, New York 11385.

3. Upon information and belief, on January 29, 2022, defendant, THE STOP & SHOP SUPERMARKET COMPANY LLC, leased the premises 89-89 Union Turnpike, Glendale, New York 11385.

4. Upon information and belief, on January 29, 2022, defendant, THE STOP & SHOP SUPERMARKET COMPANY LLC, was the owner of the supermarket business at the premises 89-89 Union Turnpike, Glendale, New York 11385, known as Stop & Shop.

5. Upon information and belief, on January 29, 2022,

defendant, THE STOP & SHOP SUPERMARKET COMPANY LLC, operated the supermarket business at the premises 89-89 Union Turnpike, Glendale, New York 11385, known as Stop & Shop.

6. Upon information and belief, on January 29, 2022, defendant, THE STOP & SHOP SUPERMARKET COMPANY LLC, maintained the supermarket business at the premises 89-89 Union Turnpike, Glendale, New York 11385, known as Stop & Shop.

7. Upon information and belief, on January 29, 2022, defendant, THE STOP & SHOP SUPERMARKET COMPANY LLC, managed the supermarket business at the premises 89-89 Union Turnpike, Glendale, New York 11385, known as Stop & Shop.

8. Upon information and belief, on January 29, 2022, defendant, THE STOP & SHOP SUPERMARKET COMPANY LLC, supervised the supermarket business at the premises 89-89 Union Turnpike, Glendale, New York 11385, known as Stop & Shop.

9. Upon information and belief, on January 29, 2022, defendant, THE STOP & SHOP SUPERMARKET COMPANY LLC, controlled the supermarket business at the premises 89-89 Union Turnpike, Glendale, New York 11385, known as Stop & Shop.

10. That on January 29, 2022, plaintiff SONIA N. SANTIAGO was a business invitee and lawfully at the Stop & Shop supermarket at 89-89 Union Turnpike, Glendale, New York 11385.

11. That on January 29, 2022, at approximately 4:00 P.M., as plaintiff was walking towards the cashier, she was caused to slip and fall on an accumulation of a liquid, thereby sustaining serious and severe permanent personal injuries due to the negligence of the defendant, its agents, servants, and/or employees.

12. That the negligence of the defendant THE STOP & SHOP SUPERMARKET COMPANY LLC, its agents, servants and /or employees consisted in the negligent ownership, operation, maintenance, management, supervision, inspection, and control of the premises; in causing and creating a dangerous condition conducive to causing injury to those lawfully on the premises; in causing and permitting a dangerous condition to exist; in setting a trap for plaintiff; in failing to inspect; in failing to mop and clean the floor; in failing to have a proper cleaning regiment; in permitting and/or allowing the floor to be wet, slippery and hazardous; in failing to keep the floor dry; in failing to clean and dry the floor; in failing to put up signs; in failing to block off the area; in failing to warn; in failing to provide for the safety of customers; in failing to give notice to plaintiff; in failing to mop and dry the area despite notice; in failing to keep the business premises from dangerous conditions; in failing to make the area safe; in failing to protect plaintiff; in failing to place warning signs;

in failing to provide for the safety of customers; in causing, permitting and creating a dangerous slippery condition; in failing to have sufficient personnel to mop the floor; in failing to train and supervise its personnel; in failing to properly inspect; in failing to dry the floor despite notice; and in failing to avoid the occurrence although there was an opportunity to do so.

13. That the said plaintiff, SONIA N. SANTIAGO, by reason of the foregoing, sustained injuries to her body, rendering plaintiff sick, sore, lame and disabled; that plaintiff was required to and did expend money for medical aid and assistance; that plaintiff was unable to attend to her usual vocation or activities; and that plaintiff was otherwise damaged.

14. That this case falls within one of the exceptions enumerated in CPLR 1602.

15. That by reason of the foregoing, plaintiff has been damaged in an amount which exceeds the jurisdictional limits of all lower courts that would otherwise have jurisdiction.

WHEREFORE, plaintiff demands judgment against the defendant in an amount which exceeds the jurisdictional limits of all lower courts that would otherwise have jurisdiction, together with the costs and disbursements of this action.

Dated: New York, New York
May 10, 2023

Yours, etc.
DAVID HOROWITZ, P.C.



By: _____
JOANNA PLONSKA
Attorney for Plaintiff
171 Madison Avenue, 1300
New York, New York 10016
(212) 684-3630

ATTORNEY'S VERIFICATION

JOANNA PLONSKA, an attorney duly admitted to practice before the Courts of the State of New York, affirms the following to be true under the penalties of perjury: I am an attorney at DAVID HOROWITZ, P.C., attorneys of record for Plaintiff(s) **SONIA N. SANTIAGO**. I have read the annexed **SUMMONS AND COMPLAINT** and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters, I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my files.

This verification is made by me because my Plaintiff(s) is/are not presently in the county wherein I maintain my offices in Richmond County.

Dated: New York, New York
May 10, 2023



JOANNA PLONSKA

Index No.

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

SONIA N. SANTIAGO,

Plaintiff,

-against-

THE STOP & SHOP SUPERMARKET COMPANY LLC,

Defendant.

SUMMONS AND VERIFIED COMPLAINT

DAVID HOROWITZ, P.C.

Attorneys for Plaintiff

171 Madison Avenue, Suite 1300

New York, New York 10016

(212) 684-3630

Pursuant to 22 NYCRR 130 1.1., the undersigned, an attorney admitted to practice in the courts of the State of New York, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated: May 10, 2023



JOANNA PLONSKA, ESQ.
